

2. Title

General Penalty Policy

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require the rule:

Section 19-2-115 authorizes penalties for those found, in a civil proceeding, to violate Title 19 Chapter 2, or any rule, order, or permit issued under that chapter. R307-130 guides the executive secretary of the Air Quality Board in determining a reasonable and appropriate penalty based on the nature and extent of the violation, the economic benefit to the sources of noncompliance, and adjustments for specific circumstances.

4. A summary of written comments received during and since the last five-year review of the rule from interested persons supporting or opposing the rule:

No comments have been received about this rule since the last review.

5. A reasoned justification for continuation of the rule, including reasons why the agency disagrees with comments in opposition to the rule, if any:

Under section 19-2-115 a person is subject in a civil proceeding to a penalty not to exceed \$10,000 per day for each violation. R307-130 implements 19-2-115.

6. **key words:** air pollution, penalty

7. **attach document.**

Agency head or designee, and title

Date

M. Caryl Hy

1-17-07